

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JACKI EASLICK, LLC, et al.,

Plaintiffs,

v.

CJ EMERALD, *et al.*,

Defendants.

Civil Action No. 23-cv-2000

(Judge Stickman)

Declaration of Stanley D. Ference III in Support of Preliminary Injunction

I, STANLEY D. FERENCE III, in support of the motion for preliminary injunction, hereby declare as follows:

1. I am an attorney with the law firm of Ference & Associates LLC (“the Ference Firm”), located at 409 Broad Street, Pittsburgh, Pennsylvania 15143 and represent Talisman Designs, LLC, (collectively “Plaintiff”) in the above-referenced action. Except as otherwise expressly stated to the contrary, I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify as follows:

2. In his home district (Northern District of Illinois), counsel for the Maybeller Group¹ files Schedule “A” lawsuits. See *Trademark Rights Holder Identified in Exhibit I v. The Individuals, Partnerships, and Unincorporated Associates Identified on Schedule A*, No. 23-cv-

¹ Defendants that filed the response to the Plaintiff’s motion for preliminary injunction are: ABEL TANG, ATRISS, BESTOYARD, BONNIE CHILD, COLORED FLAG, ENTERTAINMENT FIRST, FACING THE OCEAN, FEPERIG, FULL OF STARS.MIN, GARDEISH, HEMPHILL HEN, HERLLOY, JAGOGH YSON, JONERCEY, KARIN YANG, LIMICOUNTS, LIPU HOOKER, LMPOSING, M.METEORITE, MAYBELLER, NISHUNA, PATRICK YAO, PBFZ, QIKITA, ROBITENO, SHANNON WENHA, SI PEIHONG, SINUOXIANG, SOMIROW, SURMOUNTY, THINKCREATORS, THOMAS ZACK YANG, TRACY ZHONG, TRAVELNA, VITONG, ZARA LEI, ZHONG ROY. Counsel for these defendants have identified the defendants as part of the “Maybeller Group”

16216 (N.D. Ill. Nov., 241, 2023), and a temporary restraining order was entered on November 30, 2023. [DE 11] A preliminary injunction has not yet been entered.

3. This lawsuit was brought against sixty-seven defendants, thirty-seven of whom are opposing the entry of a preliminary injunction. These sixty-seven defendants sold nearly 110,000 units of infringing product.

4. As part of the court-ordered production in this case, Amazon provided the restrained amounts for each of the Defendants.

5. The purportedly restrained amounts indicated by the Maybeller Defendants' declaration do not agree with the information reported by Amazon.

6. The two largest sellers of product according to Amazon are LiteViso, which has sold over 45,000 units of infringing product and Home Deputy, which has sold nearly 16,000 units of infringing product.

7. Neither of these stores, however, are part of the Maybeller Group. Moreover, neither of these stores has much money in its Amazon account and certainly not enough for an equitable disgorgement of their total profits for the sales on Amazon.

8. **Exhibit 1** attached hereto is a true a correct copy of the report I obtained from *Lex Machina*.²

9. **Exhibit 1** is a report on the district courts where mass online counterfeiting cases are filed, namely, the Northern District of Illinois, Southern District of Florida, Southern District of New York, Eastern District of Virginia, Northern District of Georgia, and the Western District of Pennsylvania.

² LexMachina® is owned by LexisNexis and is a legal analytics provider. See <https://lexmachina.com/about/> (last visited December 18, 2023).

10. The combined number of cases filed between January 1, 2019 and December 18, 2023, where pre-judgment asset restraints were granted is 3,765.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Pittsburgh, Pennsylvania
December 18, 2023

/Stanley D. Ference III/
Stanley D. Ference III